CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Easement application for the installation of a new 4" drinking water pipeline.
Proposed Implementation Date:	Spring/Summer 2013
Proponent:	Devon Water Inc. C/O Roy Benjamin, 145 South Devon Road Shelby, MT 59474
Location:	Pt. NW4, Pt. SW4, Pt. SE4, Section 36, T32N, R2W
County:	Toole
Trust:	Common Schools (CS)

I. TYPE AND PURPOSE OF ACTION

Devon Water Inc. has requested to install a new 4" buried drinking water pipeline across one tract of state land. The proposed easement route is located along the south edge of the ROW fence for Highway #2 which cuts through Section 36, T32N, R2W. The new 4" buried drinking water pipeline will be part of a reconstruction of the existing Devon Water Inc.'s system. Devon Water Inc. will tie into the City of Shelby's water system in order to meet the new drinking water standards. The table below lists the affected tract and acres.

Township	Range	Section	Drinking Water Pipeline Location	Acres Affected	Trust
32N	2W	36	SW4NW4, NW4SW4, NE4SW4, NW4SE4, SW4SE4, SE4SE4	6.110	CS

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

Devon Water Inc., C/O Roy Benjamin -Proponent
DNRC-Surface Owner
Kathryn Davis-Surface Lessees, Lease #7998
FSA-CRP administrator, Section 36, T32N, R2W

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

DNRC is not aware of any other agencies with jurisdiction or other permits needed to complete this project.

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action) – Deny Devon Water Inc., C/O Roy Benjamin permission to install the new 4" buried drinking water pipeline.

Alternative B (the Proposed action) – Grant Devon Water Inc., C/O Roy Benjamin permission to install the new 4" buried drinking water pipeline.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

Soils at the proposed project sites are silty in texture. The topography is gently rolling and the new 4" buried drinking water pipeline will be installed just off of the existing state highway #2 in CRP fields and also through native rangeland. The soils and slopes are generally suitable for the installation of the new 4" buried drinking water pipeline. The drinking water pipeline will be installed to a depth of 6.50'. Equipment will cause localized areas of soil compaction and will disturb the soil where the new 4" buried drinking water pipeline is installed. Reclamation requirements are to compact and level the disturbed soil in the proposed project area. There are two steep coulees that will be crossed by the proposed water line. Any erosion concerns will be mitigated by the placement of straw waddles to control any surface erosion. Cumulative impacts on soil resources are not expected as only minimal surface disturbance will be caused by the construction of the new 4" buried drinking water pipeline.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

There are two water rights associated with this tract; however none of these water rights will be impacted by the proposed easement. Other water quality and/or quantity issues will not be impacted by the proposed action.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

The proposed action will not impact the air quality.

7. VEGETATION COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

Vegetation will be minimally impacted as approximately 6,600.00' or 1.25 miles of new 4" buried drinking water pipeline will be installed by the utilization of a static plow. The vegetation consists of primarily CRP and native rangeland with a few areas of tame grass species. Noxious and annual weeds within the proposed construction areas are a concern, but this concern will be mitigated as the applicants are responsible for controlling weeds within the construction areas. Cumulative impacts on the vegetative resources are not expected as the proposed construction areas will be reclaimed and reseeded. The reseeding mixture will consist of a grass seed mixture of 35% Western Wheatgrass, 35% Slender Wheatgrass, 15% Bluebunch Wheatgrass, 10% Green Needlegrass, and 5% Lewis Blue Flax. If drilled the rate will be 8#/acre, but if broadcast seeded the rate will be 16#/acre.

A review of Natural Heritage data through the NRIS was conducted and there were no plant species of concern noted or potential species of concern noted on the NRIS survey.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

The area is not considered critical wildlife habitat. However, this tract provides habitat for a variety of big game species (mule deer, whitetail deer, pronghorn antelope), predators (coyote, fox, badger), upland game birds (sharp tail grouse, Hungarian partridge), other non-game mammals, raptors and various songbirds. The proposal does not include any land use change which would yield changes to the wildlife habitat. The proposed action will not impact wildlife forage, cover, or traveling corridors. Nor will this action change the juxtaposition of wildlife forage, water, or hiding and thermal cover. Wildlife usage is expected to return to "normal" (pre-action usage) following the installation of the new overhead power distribution line. The proposed action will not have long-term negative effects on existing wildlife species and/or wildlife habitat.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

There are no threatened or endangered species, sensitive habitat types, or other species of special concern associated with the proposed project area. At this time, no known unique, endangered, fragile or limited environmental resources have been identified within the proposed project area.

A review of Natural Heritage data through the NRIS was conducted for T32N, R2W. There were zero species of concern and two potential species of concern noted on the NRIS survey: Birds-Short-eared Owl. Fish-Burbot. This particular tract of CRP and native rangeland does not contain many, if any of these species. If any are present, they will be dispersed into the surrounding permanent cover and return to the project area once it is completed.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

The proposed project areas are adjacent to and follow an existing State Highway. These areas have been inspected by DNRC for archaeological resources. No cultural resources were found within the project area, and therefore cultural resources will not be impacted by this proposed project. Also, the CRP portion of the tract has been previously farmed, so no historical, archaeological, or paleontological resources would be present.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

Installation of new 4" buried drinking water pipeline will not affect the aesthetics of the land in any way as it will not be visible. It will lead to no erosion of the soil resources on the tracts as the pipeline is located below the soil surface.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

The demand on environmental resources such as land, water, air, or energy will not be affected by the proposed action. The proposed action will not consume resources that are limited in the area. There are no other projects in the area that will affect the proposed project.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

There are no other projects or plans being considered on the tract listed on this EA.

IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

14. HUMAN HEALTH AND SAFETY:
Identify any health and safety risks posed by the project.

The proposed project will not change human safety in the area.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:
Identify how the project would add to or alter these activities.

The results of this project will add to the industrial, commercial, or agricultural activities or production in the area as it will provide a safe, consistent source of potable water.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:
Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

This project will not create any new jobs, as the project will be completed in house by the proponent.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:
Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

The proposed action will add to the tax revenue.

18. DEMAND FOR GOVERNMENT SERVICES:
Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

This project is of a small scale and being funded by Devon Water, Inc. There will be no excessive stress placed of the existing infrastructure of the area.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:
List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

The proposed action is in compliance with State and County laws. No other management plans are in effect for the area.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:
Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

The proposed project area is adjacent to the south edge us Highway #2. It is located in CRP and native rangeland. The tract is legally accessible and the proposed action is not expected to impact general recreational and wilderness activities on this state tract.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:
Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing

The proposal does not include any changes to housing or developments.

No direct or cumulative effects to population or housing are anticipated.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposal.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

The proposed action will not impact the cultural uniqueness or diversity of the area.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

This project will benefit the school trust in terms of the $50.00 fee generated from the easement application. The easement on the Common Schools trust land will affect 6.110 acres X $750.00 per acre equals $4,582.50 of revenue generated from the future easement. Cumulative impacts are not likely as the area is used for agriculture and grazing and the new 4" buried drinking water pipeline will not affect the long-term viability of agriculture and grazing on this tract.

EA Checklist Prepared By:	**Name:** Tony Nickol	**Date:** July 8, 2013
	Title: Land Use Specialist, Conrad Unit, Central Land Office	

V. FINDINGS

25. ALTERNATIVE SELECTED:

Alternative B (the Proposed action) – Grant Devon Water Inc., C/O Roy Benjamin permission to install the new 4" buried drinking water pipeline.

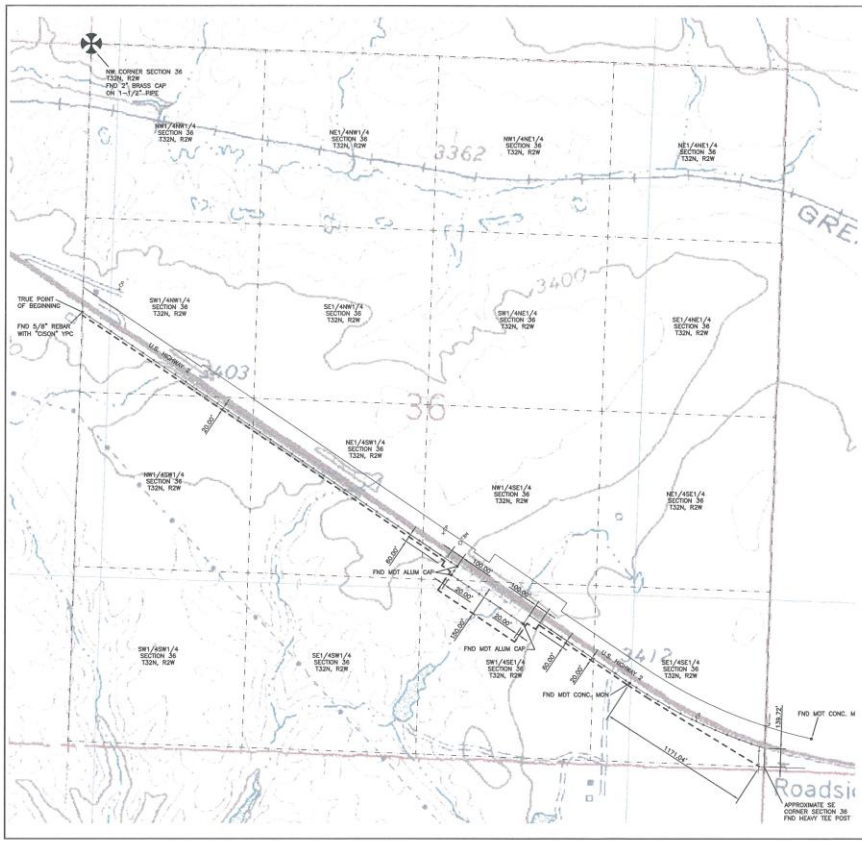
26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The applicant is applying for permission to cross about 6,600 feet of state land with a buried 4" water pipeline. This pipeline will provide an upgraded municipal water supply to the communities of Dunkirk and Devon. The pipeline will be buried in classified CRP and grazing land and parallel to highway #2 east of Shelby, MT. No archaeological features have been identified within the project area. Any disturbed areas will be reclaimed and returned to production after pipeline installation. The surface lessee's have been notified and actual damages are not anticipated. This easement corridor does not have any unique characteristics, critical habitat and/or other special environmental conditions. Significant impacts are not anticipated as a result of the selected alternative. Easement values are estimated at $750.00 per acre.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

[ ] EIS [ ] More Detailed EA [X] No Further Analysis

EA Checklist Approved By:	**Name:**	Erik Eneboe
	Title:	Conrad Unit Manger, CLO, DNRC
Signature: 		**Date**: July 8, 2013



HORIZONTAL COORDINATES ARE GROUND, INTERNATIONAL FEET, AND WERE ESTABLISHED BY AN AUTONOMOUS READING USING SURVEY QUALITY GPS. TO CONVERT TO MONTANA STATE PLANE COORDINATES, MULTIPLY TIMES THE COMBINED SCALE FACTOR OF 0.9995639075, ABOUT AN ORIGIN OF (0,0).

VERTICAL DATUM IS NAVD88, AND WAS PROJECTED BY SURVEY QUALITY GPS FROM THE NGS MARK LA33.

DESCRIPTION – UTILITY EASEMENT

A utility right-of-way easement located in the NW¼ SW¼ and SE¼ of Section 36, Township 32 North, Range 2 West, P.M.M., Toole County, Montana, and being more particularly described as follows:

Beginning at the Northwest Corner of said Section 36; thence South 01°47'19" West along the Westerly line of said Section 36, a distance of 2032.82 feet to the Southerly Right-of-Way line of U.S. Highway 2 and being the True Point of Beginning; the next 7 courses along said Right-of-way, thence South 56°02'01" East, a distance of 3436.64 feet; thence South 33°56'44" West, a distance of 79.47 feet; thence South 56°01'27" East, a distance of 659.95 feet; thence North 33°57'59" East, a distance of 79.58 feet; thence South 56°02'01" East, a distance of 915.78 feet; thence along a curve to the Left, having a radius of 3900.27 feet, a delta of 16°47'05", an arc length of 1142.57 feet, a chord bearing of South 64°25'34" East and a chord length of 1138.46 feet to a point on the Easterly line of said Section 36; thence South 01°43'11" West along said Easterly line of Section 36, a distance of 139.72' to the approximate Southeast corner of said Section 36; thence North 87°55'12" West along Southerly line of said Section 36, a distance of 35.54 feet; thence North 58°36'22" West, a distance of 993.45 feet; thence along a curve to the Right, having a radius of 3920.00 feet, a delta of 02°36'18", an arc length of 178.23 feet, a chord bearing of North 56°02'01" West and a chord length of 178.22 feet; thence North 56°02'01" West, a distance of 815.86 feet; thence South 33°57'59" West, a distance of 40.00 feet; thence North 56°02'01" West, a distance of 80.00 feet; thence South 33°57'59" West, a distance of 169.58 feet; thence North 56°01'27" West, a distance of 899.89 feet; thence North 33°56'44" East, a distance of 169.48 feet; thence North 56°00'32" West, a distance of 80.05 feet; thence North 33°59'28" East, a distance of 40.00 feet; thence North 56°00'32" West, a distance of 3324.04 feet; thence North 01°47'19" East, a distance of 23.64 feet to the True Point of Beginning and containing 6.110 acres.

ACREAGE OF EACH FORTY-ACRE STATE LAND TRACT

SECTION 36, T32N, R2W, P.M.M., TOOLE COUNTY, MONTANA

SW¼NW¼:	EASEMENT	0.515 ACRES,	REMAINDER	39.453 ACRES
NW¼SW¼:	EASEMENT	0.202 ACRES,	REMAINDER	39.778 ACRES
NE¼SW¼:	EASEMENT	0.717 ACRES,	REMAINDER	39.272 ACRES
NW¼SE¼:	EASEMENT	0.306 ACRES,	REMAINDER	39.691 ACRES
SW¼SE¼:	EASEMENT	2.720 ACRES,	REMAINDER	37.288 ACRES
SE¼SE¼:	EASEMENT	1.650 ACRES,	REMAINDER	38.367 ACRES
TOTAL:	EASEMENT	6.110 ACRES,	REMAINDER	233.850 ACRES

SURVEYOR AFFIDAVIT

I, Daniel R. Kenczka, Professional Land Surveyor registered in the State of Montana, the person who prepared this exhibit for easement for which application is made, do hereby certify that the description of the right of way as given on this exhibit is accurate and correct in every particular and that the monuments referenced hereon were found and surveyed in the field.

Dated this 24th day of June A.D. 2013

Daniel R. Kenczka, Montana Reg. No. 15625LS
Thomas, Dean, & Hoskins, Inc.
1200 25th St. So.
Great Falls, MT 59405
(406)-761-3010

MONTANA
DANIEL R. KENCZKA
No. 15625 LS
REGISTERED
PROFESSIONAL LAND SURVEYOR

REVISIONS
DESCRIPTION
BY
DATE

THOMAS, DEAN & HOSKINS, INC.
ENGINEERING CONSULTANTS
GREAT FALLS - BOZEMAN - KALISPELL
MONTANA
WASHINGTON
IDAHO

TD&H ENGINEERING

DRAWN BY: DRK
DESIGNED BY: DRK
QUALITY CHECK:
DATE: 5-8-13
JOB NO. 12-281
FIELDBOOK:

DEVON WATER
SHELBY, MONTANA

STATE LAND SECTION BREAKDOWN
SECTION 36, T32N, R2W

CAD NO. 12-281 Topo .DWG
SHEET 1 OF 1